

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

EVERTH O. RODAS-ARIAS,

Plaintiff,

v.

MICHAEL PITTS, et al.,

Defendants.

§
§
§
§
§
§
§
§
§
§

Civil Action No. SA-20-CV-98-XR

REFERRAL ORDER

On this date, the Court considered the status of the above-styled and numbered cause. In accordance with the authority vested in the United States Magistrate Judge pursuant to Local Rule CV-72, and Appendix C, Local Rules for the Assignment of Duties to United States Magistrate Judges, and pursuant to 28 U.S.C. § 636(b), the instant action is hereby REFERRED to United States Magistrate Judge Henry J. Bemporad for disposition of all pretrial matters.

I. MATTERS REFERRED

This reference confers the following duties upon the Magistrate Judge, the parties, and their counsel:

(1) The Magistrate Judge may issue a scheduling order. The Magistrate Judge has discretion to extend or otherwise modify deadlines in the scheduling order.

(2) The Magistrate Judge shall rule on all pretrial motions pursuant to 28 U.S.C. § 636(b)(1)(A). Where the Magistrate Judge's authority to make rulings is limited by statute, a recommendation to this Court shall be made in lieu of an order, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), unless all parties consent that the Magistrate Judge may rule on such otherwise exempt matters, pursuant to 28 U.S.C. § 636(c)(1).

(3) Unless the parties have consented to proceed to trial before the Magistrate Judge in accordance with the scheduling order, the Magistrate Judge shall return the case to this Court upon the ruling and/or filing of recommendations on all pretrial motions pending at the time all documents under Local Rule CV-16(e) are submitted.

II. MATTERS NOT REFERRED

This reference includes any pretrial matter not specifically mentioned above; however, this reference does not include the following:

(1) Motions for Temporary Restraining Orders and Preliminary Injunctions. Such motions shall be presented to this Court for disposition. Should the parties consent to hearing before the Magistrate Judge or should the Court find such hearing proper, Rule 65 motions shall be referred by separate order of this Court.

(2) Settlement Agreements. Should the parties reach a settlement of this case, they should contact the chambers of the undersigned Judge in writing or by telephone. Upon being informed of a settlement, this Court will enter such orders as it finds proper to resolve the case.

III. OBJECTIONS AND APPEALS

Appeals from the Magistrate Judge's orders, and objections to the Magistrate Judge's recommendations shall be made in compliance with 28 U.S.C. § 636(b)(1), Federal Rule of Civil Procedure 72, and Rule 4 of Appendix C to the Local Rules. Such objections and appeals shall be limited to issues first raised before the Magistrate Judge; failure to bring any defect in any order or recommendation to the attention of the Magistrate Judge prior to raising the issue in this Court shall be deemed a waiver of such issue.

It is so ORDERED.

SIGNED this 29th day of January, 2020.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE